

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:03CR3030
)	
v.)	
)	
ERIC R. PHILLIPS,)	ORDER
)	
Defendant.)	
_____)	

On May 12, 2005, defendant appeared through counsel on a motion for reduction of sentence (Filing No. 32), filed by the plaintiff, pursuant to Rule 35 of the Federal Rules of Criminal Procedure. After considering the comments of the parties and after evaluating the assistance provided by the defendant, the Court finds that the government's motion for reduction of sentence should be granted. Accordingly,

IT IS ORDERED:

- 1) The government's motion for reduction of sentence is granted.
- 2) Defendant shall be committed to the custody of the Bureau of Prisons for a term of forty-seven (47) months. Defendant is to be given credit for time previously served under the previous Judgment and Committal Order dated, signed and filed on October 7, 2003 (Filing No. 26).

3) Defendant shall participate in the 500-hour Comprehensive Drug Treatment Program, or any similar drug treatment program available. Defendant shall receive mandatory DNA testing during his supervised release, if not completed while in the custody of the Bureau of Prisons.

4) All other terms and conditions of the Judgment and Committal Order dated, signed, and filed on October 7, 2003 (Filing No. 26), remain in full force and effect.

DATED this 13th day of May, 2005.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court